

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 1:21-bk-00853-HWV
Patricia Anne Warner	:	Chapter 13
Debtor	:	
	:	
Carvana, LLC	:	
Movant	:	
vs.	:	
Patricia Anne Warner	:	
Debtor/Respondent	:	
and	:	
Jack N Zaharopoulos, Esquire	:	
Trustee/Respondent	:	

**OBJECTION TO CONFIRMATION OF THE PLAN**

Carvana, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Patricia Anne Warner (“Debtors”), as follows:

1. As of the bankruptcy filing date of April 16, 2021, Movant holds a secured Claim against Debtors’ Vehicle, a 2016 KIA Rio, VIN #KNADM4A34G6665574 (the “Vehicle”).
2. On April 19, 2021, Movant filed Proof of Claim citing a total secured claim in the amount of \$13,844.90 with an interest rate of 7.299%.
3. The Plan does not list Movant’s secured Claim.
4. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim, as the debt was incurred on February 09, 2021, which is within 910 days of the filing of the instant bankruptcy.
5. Any attempt by the Debtors to modify any portion of this Contract with Movant should be denied.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtors is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtors' Chapter 13 Plan.

Respectfully submitted,

Dated: 07/07/2021

/s / Bradley J. Osborne, Esquire  
Bradley J. Osborne, Esquire  
Hladik, Onorato & Federman, LLP  
Attorney I.D. # 312169  
298 Wissahickon Avenue  
North Wales, PA 19454  
Phone 215-855-9521  
Email: [bosborne@hoflawgroup.com](mailto:bosborne@hoflawgroup.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 1:21-bk-00853-HWV
Patricia Anne Warner	:	Chapter 13
Debtor	:	
	:	
Carvana, LLC	:	
Movant	:	
vs.	:	
Patricia Anne Warner	:	
Debtor/Respondent	:	
and	:	
Jack N Zaharopoulos, Esquire	:	
Trustee/Respondent	:	

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED  
PLAN TO PARTIES IN INTEREST**

I, Bradley J. Osborne, Esquire, attorney for Carvana, LLC (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 07/07/2021:

Dawn Marie Cutaia, II, Esquire  
Via ECF  
*Attorney for Debtor*  
  
Jack N Zaharopoulos, Esquire  
Via ECF  
*Trustee*

Patricia Anne Warner  
47 Jamison Drive  
York, PA 17402  
Via First Class Mail  
*Debtor*

Date: 07/07/2021

Respectfully Submitted,  
/s / Bradley J. Osborne, Esquire  
Bradley J. Osborne, Esquire  
Hladik, Onorato & Federman, LLP  
Attorney I.D. # 312169  
298 Wissahickon Avenue  
North Wales, PA 19454  
Phone 215-855-9521  
Email: [bosborne@hoflawgroup.com](mailto:bosborne@hoflawgroup.com)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 1:21-bk-00853-HWV
Patricia Anne Warner	:	Chapter 13
Debtor	:	
	:	
Carvana, LLC	:	
Movant	:	
vs.	:	
Patricia Anne Warner	:	
Debtor/Respondent	:	
and	:	
Jack N Zaharopoulos, Esquire	:	
Trustee/Respondent	:	

**ORDER**

Upon consideration of Carvana, LLC's Objection to Confirmation of the proposed Plan, and having heard the argument of counsel and for good cause having been shown;

It is on this \_\_\_\_\_ day of \_\_\_\_\_, 2021 ORDERED that the Confirmation is DENIED.

BY THE COURT:

---

Honorable Henry W. Van Eck  
Chief U.S. Bankruptcy Judge